

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2017**

H

D

BILL DRAFT 2017-MS-9 [v.1] (12/08)

**(THIS IS A DRAFT AND IS NOT READY FOR INTRODUCTION)
12/08/2016 11:58:38 AM**

Short Title: Enhance First Deg. Rape if Weapon Threatened.

(Public)

Sponsors: Representative Stevens.

Referred to:

A BILL TO BE ENTITLED
AN ACT TO ENHANCE THE PENALTY FOR FIRST DEGREE RAPE WHEN A WEAPON IS
THREATENED.

The General Assembly of North Carolina enacts:

SECTION 1. § 14-27.21. First-degree forcible rape.

(a) A person is guilty of first-degree forcible rape if the person engages in vaginal intercourse with another person by force and against the will of the other person, and does any of the following:

- (1) Employs or displays a dangerous or deadly weapon or an article which the other person reasonably believes to be a dangerous or deadly weapon.
- (2) Inflicts serious personal injury upon the victim or another person.
- (3) The person commits the offense aided and abetted by one or more other persons.

(b) Any person who commits an offense defined in this section is guilty of a Class B1 felony.

(b1) Unless a person's conduct is covered under some other provision of law providing greater punishment, a person who violates subsection (a) of this section and who, having in possession or with the use or threatened use of any firearms or other dangerous weapon, implement or means, is guilty of a Class A felony.

(c) Upon conviction, a person convicted under this section has no rights to custody of or rights of inheritance from any child born as a result of the commission of the rape, nor shall the person have any rights related to the child under Chapter 48 or Subchapter 1 of Chapter 7B of the General Statutes.

SECTION 2. This act becomes effective December 1, 2017, and applies to offenses committed on or after that date.



* 2 0 1 7 - M S - 9 - V - 1 *